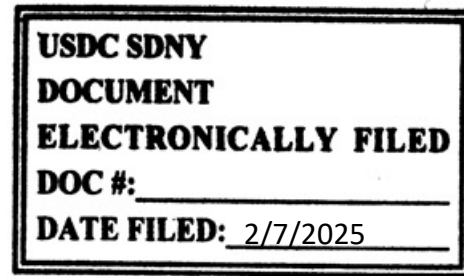


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KWAINE THOMPSON,  
  
Plaintiff,  
  
-against-  
  
CITY OF NEW YORK et al.,  
  
Defendants.



22-CV-1458 (JPO) (KHP)

ORDER ON MOTION TO SEAL

**KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE.**

On January 3, 2025, Plaintiff's then-pro bono counsel filed a supplemental brief in support of Plaintiff's opposition to Defendants' motion for summary judgment. (ECF Nos. 171-72.) The supplemental brief included as an exhibit an internal investigative report by the New York City Department of Corrections (the "DOC Report"). Plaintiff's counsel later filed a letter seeking to seal the DOC Report. (ECF No. 176.) The Court denied the request without prejudice and directed Plaintiff's counsel to refile the motion to seal with proposed redactions in accordance with the undersigned's rules. (ECF No. 178.) Plaintiff's counsel filed a revised motion to seal with proposed redactions (ECF No. 180), but the redactions were overbroad and not consistent with the *Lugosch* standard. See *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006). During a Case Management Conference with the parties, Plaintiff's counsel communicated to the Court that his limited appearance was coming to an end. Accordingly, the Court directed defense counsel to file revised proposed redactions of the DOC Report that are consistent with the *Lugosch* standard. Defense counsel filed a motion to seal

the DOC Report and revised redactions on February 6, 2025. (ECF No. 187.) The Court has reviewed defense counsel's filings and finds that the DOC Report, as well as sections of the supplemental brief that summarize the Report, contain confidential disciplinary information about DOC employees, including correction officers who have no involvement in this dispute, regarding allegations that were investigated, unsubstantiated, and resulted in no discipline. Defense counsel's proposed redactions are limited to the names and identifying information of these individuals, and are therefore consistent with the *Lugosch* standard. *See Lugosch*, 435 F.3d at 120 (finding that courts may grant motions to seal where the parties make "specific, on the record findings . . . demonstrating that closure is essential to preserve higher values and [sealing] is narrowly tailored to serve that interest."). Therefore, the motion to seal at ECF No. 187 is GRANTED.

**The Clerk of Court is respectfully directed to seal the filings at ECF Nos. 171 and 172 and to terminate the motions at ECF Nos. 180 and 187.**

Dated: February 7, 2025  
New York, New York

SO ORDERED.



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KATHARINE H. PARKER  
United States Magistrate Judge